

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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DEVI KHODAY, et al.,

Plaintiffs,

v.

SYMANTEC CORP. and DIGITAL  
RIVER, INC.,

Defendants.

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CIVIL No. 11-cv-180 (JRT/TNL)

**ORDER**

This matter is before the Court, Magistrate Judge Tony N. Leung, on the parties' Joint Motion to Stay the Proceedings (ECF No. 386). The parties represent that they have agreed upon a settlement in principle, subject to final documentation. The parties are currently scheduled to appear before the undersigned for an all-day settlement conference on May 5, 2015. (*See* ECF No. 374.) In light of the representations in the parties' Joint Motion, and based on all the files, records and proceedings herein, **IT IS HEREBY ORDERED** as follows:

1. The Settlement Conference scheduled for May 5, 2015, is hereby **CANCELED**;
2. On Tuesday, May 5, 2015, at 10:00 a.m., counsel for the parties shall participate in a telephonic conference<sup>1</sup> with the undersigned Magistrate Judge;
3. In advance of this telephonic conference, counsel shall obtain authority from their clients to inform the Court of the settlement agreement terms and principles and to bind their clients to those terms and principles;

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<sup>1</sup> The Court will send call-in instructions to counsel before May 5, 2015.

4. Subject to the parties confirmation of the settlement in principle to this Court on May 5, 2015, all other proceedings in this matter are **STAYED** pending preliminary approval of the proposed settlement;
5. All prior consistent orders remain in full force and effect; and
6. Failure to comply with any provision of this Order or any other prior consistent Order shall subject the non-complying party, non-complying counsel and/or the party such counsel represents to any and all appropriate remedies, sanctions and the like, including without limitation: assessment of costs, fines and attorneys' fees and disbursements; waiver of rights to object; exclusion or limitation of witnesses, testimony, exhibits, and other evidence; striking of pleadings; complete or partial dismissal with prejudice; entry of whole or partial default judgment; and/or any other relief that this Court may from time to time deem appropriate.

Date: May 1, 2015

s/ Tony N. Leung  
Tony N. Leung  
United States Magistrate Judge  
District of Minnesota

*Khoday et al. v. Symantec Corp. et al*  
File No. 11-cv-180 (JRT/TNL)